

UNITED STATES DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FAYETTEVILLE DIVISION

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JILL DILLARD, JESSA SEEWALD, JINGER
VUOLO, and JOY DUGGAR, : Civil Action No.: 17 Civ. 5089 (TLB)
Plaintiffs,
- against -
CITY OF SPRINGDALE, ARKANSAS;
WASHINGTON COUNTY, ARKANSAS;
KATHY O'KELLEY, in her individual and
official capacities; ERNEST CATE, in his
individual and official capacities; RICK HOYT,
in his individual and official capacities; STEVE
ZEGA, in his official capacity; BAUER
PUBLISHING COMPANY, L.P.; BAUER
MAGAZINE, L.P.; BAUER MEDIA GROUP,
INC.; BAUER, INC.; HEINRICH BAUER
NORTH AMERICA, INC.; BAUER MEDIA
GROUP USA, LLC; and DOES 1-10, inclusive,
Defendants.
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**DECLARATION OF ELIZABETH A. McNAMARA IN SUPPORT OF
MOTION BY DEFENDANTS BAUER PUBLISHING COMPANY, L.P.; BAUER
MAGAZINE, L.P.; BAUER MEDIA SALES, INC.; BAUER, INC.; HEINRICH BAUER
NORTH AMERICA, INC.; AND BAUER MEDIA GROUP USA, LLC TO DISMISS
PLAINTIFFS' COMPLAINT**

I, Elizabeth A. McNamara, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a partner at the law firm of Davis Wright Tremaine LLP, attorneys for Defendants Bauer Publishing Company, L.P.; Bauer Magazine, L.P.; Bauer Media Sales, Inc., formerly known as Bauer Media Group, Inc.; Bauer, Inc.; Heinrich Bauer North America, Inc.; and Bauer Media Group USA, LLC (collectively, the "Bauer Defendants") in the above-captioned matter.
2. I submit this declaration to annex documents relevant to the Bauer Defendants' motion to dismiss Plaintiffs' Complaint. These documents, the articles at issue in Plaintiffs' invasion of

Exhibit 2

privacy and tort of outrage claims, are integral to Plaintiffs' claims, and are thus properly before the Court on the Bauer Defendants' Rule 12(b)(6) motion.

3. Annexed hereto as **Exhibit A** is a true and correct copy of the article titled *19 Kids and Counting Son Named in Underage Sex Probe* published on May 19, 2015 on the *In Touch* website and the companion print article titled *Josh Duggar Named in Underage Sex Probe* dated June 1, 2015 and available for sale May 20, 2015.

4. Annexed hereto as **Exhibit B** is a true and correct copy of the article titled *Bombshell Duggar Police Report: Jim Bob Duggar Didn't Report Son Josh's Alleged Sexual Offenses For More Than A Year* published on May 21, 2015 on the *In Touch* website and the companion print article titled *Inside the Duggars' Twisted World – House of Horrors* dated June 8, 2015 and available for sale on May 27, 2015.

5. Annexed hereto as **Exhibit C** is a true and correct copy of the article titled *Josh Duggar's Youngest Molestation Victim May Have Been As Young As 5-Years-Old* published on May 26, 2015 on the *In Touch* website.

6. Annexed hereto as **Exhibit D** is a true and correct copy of the article titled *Josh Duggar's Chilling Molestation Confession in New Police Report* published on June 3, 2015 on the *In Touch* website and the companion print article titled *Bombshell New Police Report* dated June 15, 2015 and available for sale on June 3, 2015.

7. Annexed hereto as **Exhibit E** is a true and correct copy of the article titled *Josh Duggar Resurfaces Looking Heavier, Unkempt* published on April 28, 2017 on the *In Touch* website.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
August 22, 2017



ELIZABETH A. McNAMARA